

**IN THE CLAIMS:**

**Please enter the following amended claims:**

1. (currently amended) ~~A~~ ~~An isolated or synthetic polypeptide comprising an amino acid sequence of a mutant Bcl-X<sub>L</sub>/Bcl-2 Associated Cell Death Regulator polypeptide (BAD), or fragment of said isolated or synthetic polypeptide comprising a less than full length amino acid sequence of said mutant BAD, wherein said mutant BAD:~~

a) has an amino acid sequence which said isolated or synthetic polypeptide, or said fragment, is at least 95% homologous to the amino acid sequence of SEQ ID NO:1;

b) has an amino acid substitution at the position corresponding to position 118 of SEQ ID NO:1, wherein said amino acid is alanine or an amino acid conservative for alanine said amino acid sequence of said isolated or synthetic polypeptide, or said amino acid sequence of said fragment, does not have a serine at a position corresponding to position 118 of SEQ ID NO:1, said position in said amino acid sequence of said isolated or synthetic polypeptide, or said position in said amino acid sequence of said fragment, being identified by alignment of said amino acid sequence of said isolated or synthetic polypeptide, or said amino acid sequence of said fragment, to the BH3 domain of SEQ ID NO:1; and

c) ~~said isolated or synthetic polypeptide, or said fragment, has cell death promoting activity *in vitro*; or~~

a fragment of said mutant BAD, wherein said fragment has cell death promoting activity *in vitro*.

2. (canceled).

3. (currently amended) The mutant BAD isolated or synthetic polypeptide, or fragment, of Claim 1, wherein the amino acid sequence of said mutant BAD, ~~or of said fragment~~, is identical to SEQ ID NO:1, with the proviso ~~except~~ that the amino acid at ~~the~~ position corresponding to position 118 of SEQ ID NO:1 is ~~an alanine or an amino acid conservative for alanine~~ alanine or an amino acid conservative for alanine ~~amino acid other than serine~~.

10. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment~~, of Claim 1, wherein said mutant BAD or said fragment ~~isolated or synthetic polypeptide binds Bcl-X<sub>L</sub> and/or Bcl-2, or said fragment binds Bcl-X<sub>L</sub> and/or Bcl-2, or both~~.

13. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment~~, of Claim 10, wherein said mutant BAD or said fragment ~~isolated or synthetic polypeptide binds Bcl-X<sub>L</sub> and/or Bcl-2, or said fragment binds Bcl-X<sub>L</sub> and/or Bcl-2, or both~~, through a said domain that is at least 75% homologous to a BH3 domain of a naturally-occurring or wild-type mammalian BAD.

16. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment~~, of Claim 1, wherein the amino acid at ~~said the~~ position corresponding to position 118 of SEQ ID NO:1 is alanine.

19. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment~~, of Claim 1, wherein the amino acid conservative for alanine at ~~the said~~ position corresponding to position 118 of SEQ ID NO:1 is an amino acid other than glycine.

22. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment,~~ of Claim 1, wherein said ~~the~~ amino acid at ~~the said~~ position corresponding to position 118 of SEQ ID NO:1 is not alanine.

25. (currently amended) The mutant BAD or fragment of mutant BAD ~~isolated or synthetic polypeptide, or fragment,~~ of Claim 1, wherein said mutant BAD or said fragment ~~amino acid sequence of said isolated or synthetic polypeptide, or said amino acid sequence of said fragment,~~ comprises an ~~the~~ amino acid sequence corresponding to positions 103-123 of SEQ ID NO:1, with the proviso that the amino acid at the position corresponding to position 118 of SEQ ID NO:1 is alanine or an amino acid conservative for alanine.

28. (canceled).